

REMARKS

In this paper, claim 36 is currently amended. After entry of the above amendment, claims 36-76 are pending, and claims 1-35 have been canceled.

The Information Disclosure Statements (IDS) filed on July 7, 2003 and December 26, 2003 were acknowledged on page 1 of the office action. A signed copy of the electronic IDS was included in the office action. However, a signed copy of the form PTO-1449 submitted with the IDS on July 7, 2003 does not appear to have been included in the copy of the office action. The undersigned requests a copy of the signed form PTO-1449 for the applicant's files.

The applicant appreciates the allowance of claims 55-68.

The specification has been amended to provide proper antecedent basis for the bias vector moving mechanism.

Claims 40-42, 49-54 and 69-76 were rejected under 35 U.S.C. §112 as failing to comply with the enablement requirement. This basis for rejection is respectfully traversed.

Claims 40, 49 and 69 recite a coil spring in a structural sense. That is, spring (1412) is formed by one or more coils. Accordingly, it is believed that use of the term "coil spring" is proper.

Claims 36-54 were rejected under 35 U.S.C. §102(b) as being anticipated by Walter, et al (US 5,217,094). This basis for rejection is respectfully traversed.

Claim 36 has been amended to clarify that the rotating member is carried by the reference member so that the rotating member and the reference member move together as a unit. Walter, et al discloses a self-adjusting, push-to-release parking brake control that includes a holding pawl (45) with an elongated slot (56) which enables the holding pawl (45) to slide and pivot on a rivet (57). Also supported by the rivet (57) is a toggle lever (60) that includes an elongated curved slot (61) so that toggle lever (60) may slide and pivot on rivet (57). One leg of a toggle spring (65) is connected to holding pawl (45), and the other leg of toggle spring (65) is connected to toggle lever (60). Insofar as holding pawl (45) is interpreted to be a rotating member and toggle lever (60) is interpreted to be

a reference member, then holding pawl (45) is not carried by toggle lever (60) so that holding pawl (45) and toggle lever (60) move together as a unit. There is no motivation to modify the Walter, et al device to meet the presently claimed subject matter because Walter, et al's holding pawl (45) and toggle lever (60) must be able to function independently about rivet (57) in order for the apparatus to operate.

Accordingly, it is believed that the rejections under 35 U.S.C. §102 and §112 have been overcome by the foregoing amendment and remarks, and it is submitted that the claims are in condition for allowance. Reconsideration of this application as amended is respectfully requested. Allowance of all claims is earnestly solicited.

Respectfully submitted,



James A. Deland  
Reg. No. 31,242

DELAND LAW OFFICE  
P.O. Box 69  
Klamath River, California 96050  
(530) 465-2430